

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Fifth
Legislature***

OF THE

STATE OF MAINE

Volume III

June 16, 1971 to June 24, 1971

Index

1st Special Session

January 24, 1972 to March 10, 1972

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**KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Wednesday, February 9, 1972
Senate called to order by the President.

Prayer by the Rev. Robert Butler of Hallowell.

Reading of the Journal of yesterday.

**Papers from the House
Non-Concurrent Matter**

Bill, "An Act to Revise Certain Laws Relating to Banks." (H. P. 1559) (L. D. 2019)

In the House January 31, 1972, Passed to be Engrossed.

In the Senate February 4, 1972, Passed to be Engrossed as Amended by Senate Amendment "A" (S-330), in non-concurrence.

Comes from the House, that Body having Insisted.

Mr. Danton of York then moved that the Senate Recede and Concur.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: I hope that the Senate defeats the motion to recede and concur, and will insist and request a committee of conference.

This is the bill we discussed the other day which has a few provisions for savings banks, which remain in the Senate version. In the House version the banks of the state will be closed down because of the holiday on Columbus Day. I consider this a great inconvenience to the public and the business community, without any proven need. So I ask the Senate to vote against the motion before us and then ask for a committee of conference. And I request a division.

The PRESIDENT: A division has been requested. As many Senators as are in favor of the motion of the Senator from York, Senator Danton, that the Senate recede and concur will please rise and remain standing until counted. All those opposed will please rise and remain standing until counted.

A division was had. 22 Senators having voted in the affirmative, and six Senators having voted in the negative, the motion prevailed.

Communications**STATE OF MAINE**

House of Representatives

Office of the Clerk

Augusta, Maine 04330

February 8, 1972

Hon. Harry N. Starbranch

Secretary of the Senate

105th Legislature

Special Session

Sir:

The House today voted to adhere to its former action whereby it indefinitely postponed Bill "An Act Permitting the Commissioner of Education to Assign Towns to Supervisory Units when Fewer than 35 Teachers are Employed" (H. P. 1527) (L. D. 1970)

Respectfully,

(Signed)

BERTHA W. JOHNSON

Clerk of the House

Which was Read and Ordered Placed on File.

Committee Reports**House****Divided Report**

The Committee on Education on, Bill "An Act to Dissolve the Four Corners Elementary Community School District." (H. P. 1466) (L. D. 1909)

Reported in Report "A" that the same Ought to Pass in New Draft Under New Title: "An Act Authorizing Oakfield to Withdraw from the Four Corners Elementary Community School District." (H. P. 1568) (L. D. 2023)

Signed:

Senator:

CHICK of Kennebec
Representatives:

BITHER of Houlton

LUCAS of Portland

LAWRY of Fairfield

HASKELL of Houlton

MILLETT of Dixmont

The same Committee on the same subject matter reported in Report "B" that the same be referred to the 106th Legislature.

Signed:

Senators:

KATZ of Kennebec

MINKOWSKY

of Androscoggin

Representatives:

SIMPSON of Standish

MURRAY of Bangor

WOODBURY of Gray
LYNCH

of Livermore Falls
Comes from the House, Report
"A", Ought to Pass in New Draft,
Read and Accepted, and the Bill
in New Draft Passed to be
Engrossed.

Which reports were Read.

The PRESIDENT: The Chair
recognizes the Senator from
Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr.
President, I move the Senate
accept Report "B", and I would
like to explain my motion.

The PRESIDENT: The Senator
from Kennebec, Senator Katz,
moves that the Senate accept
Report "B". The Senator has the
floor.

Mr. KATZ: Mr. President and
Members of the Senate: This is
the third time that these little
communities have come to the
105th Legislature with problems in
the organization of their school
system. It is the third time we
have spent a whale of a lot of
time on it. I am not certain that
the communities yet know exactly
what they want to do and, conse-
quently, half of the committee felt
that we should defer any judg-
ments until next session, and let
the local people finally come to
a conclusion as to how they are
finally going to solve their own
problems. I think that is the basic
philosophy behind Report "B".

The PRESIDENT: The Chair
recognizes the Senator from
Kennebec, Senator Chick.

Mr. CHICK of Kennebec: Mr.
President and Members of the
Senate: I feel compelled to oppose
the motion to accept Report "B".
My reason for doing so is that
the law is very clear in that it
is the intent of the law to give
the communities a chance to
decide what they want to do.

Oakfield in this case has decided
that they want to withdraw from
the Four Corners Union, and I
think that we gain nothing by
putting it off until the next session
of the legislature, so I oppose the
motion and hope the Senate will
defeat it and then accept Report
"A" along with the other body.

The PRESIDENT: The Chair

recognizes the Senator from Aroos-
took, Senator Harding.

Mr. HARDING of Aroostook: Mr.
President and Members of the
Senate: I am inclined to go along
with home rule on these kinds of
things. From what I can find out,
the people in this area do support
the position which the Senator from
Kennebec, Senator Chick, has
taken.

I would not profess to know all
the details of this problem but I
do know, from what has been
related to me, that the overwhelm-
ing support, both of the representa-
tives who are here in this legisla-
ture and the people in that area,
is that they would like to adopt the
position which Senator Chick has
taken, so I would rise to support
him, and I hope that you would
oppose the motion which the Sen-
ator from Kennebec, Senator Katz,
has made.

The PRESIDENT: Is the Senate
ready for the question? The
pending question before the Senate
is the motion of the Senator from
Kennebec, Senator Katz, that the
Senate accept Report "B" of the
Committee on Education on Bill,
"An Act to Dissolve the Four
Corners Elementary Community
School District." The Chair will
order a division.

As many Senators as are in favor
of accepting Report "B" will
please rise and remain standing
until counted. Those opposed will
please rise and remain standing
until counted.

A division was had. Four
Senators having voted in the
affirmative, and 22 Senators having
voted in the negative, the motion
did not prevail.

Thereupon, the Ought to Pass in
New Draft Report of the Commit-
tee was Accepted in concurrence,
the Bill in New Draft Read Once
and Tomorrow Assigned for Second
Reading.

Divided Report

The Majority of the Committee
on Liquor Control on, Bill, "An Act
Authorizing Town of Dresden to
Vote on Certain Liquor Local
Option Questions." (H. P. 1494) (L.
D. 1937)

Reported that the same Ought
to Pass.

Signed:

Senator:

HOFFSES of Knox

Representatives:

TANGUAY of Lewiston

LIZOTTE of Biddeford

MADDOX of Vinalhaven

STILLINGS of Berwick

FAUCHER of Solon

SLANE of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Sensors:

SHUTE of Franklin

FORTIER of Oxford

Representatives:

IMMONEN of West Paris

HAWKENS of Farmington

BAILEY of Woolwich

GAGNON of Scarborough

Comes from the House, the Majority Ought to Pass Report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendments "A" (H-528) "B" (H-529) and "C" (H-530).

Which reports were Read.

Mr. Shute of Franklin moved that the Senate accept the Minority Ought Not to Pass Report of the Committee in non-concurrence.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I was the minority Senate member on this Committee to sign this particular document. This is a rather unusual situation down in Dresden. The tax base is very limited. The proposed building which a party wishes to build is a motel complex, and it is reported that if this building was to be built and this complex put into operation that it could reduce the tax rate by two mills.

This is a permissive piece of legislation. It permits the townspeople in Dresden to vote on this measure. The people in the Town of Dresden may overwhelmingly oppose this matter and, if they do, I am sure that all parties will abide by it. If, on the other hand, they vote overwhelmingly to support it, the people do have an opportunity to help their tax base

in reducing their tax rate. The last time that this town voted on this particular measure was in 1968. No action was taken in 1970.

I think it would be only fitting and proper that we should point out that this time that there are these House amendments on. At the executive session I was not in favor of every town in the state coming in under this matter. If we were to vote favorably upon this bill, I would be one of the first to oppose these House amendments allowing Cornfield, Timbuktu, and all of the other towns to come in under this measure. I would hope that perhaps this body might give a favorable report on this bill, and that then all of the little tails attached thereto might be chopped off, and the people in the Town of Dresden be given an opportunity to vote on this measure. Mr. President, I would ask for a division when the vote is taken.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS of York: Mr. President and Members of the Senate: Five years ago at a Liquor Control Committee hearing a very unusual thing took place. It was one of those rare occasions when the so-called "drys" and the liquor industry of the State of Maine agreed. They agreed that the local option referendum problem on the ballot every November election day should be discontinued. They had their reasons, and I won't go into the several reasons which were discussed at that hearing. The law came out that 15 per cent of the voters in each town could sign a petition to have the local option question put on the November ballot and the townspeople could vote accordingly. Everyone was agreed, and in the following election two towns in the state had that 15 per cent petition and voted accordingly.

Now, five years later, under the premise of an emergency bill, they are trying to break this ruling. They are telling us that this is an emergency issue, that the people in Dresden have to decide

this question right now because one man can't wait.

I would read to you from the brochure which was placed on our desks three or four days ago: "A new inn with 14 hotel rooms, a dining table coffee shop, pub and conference room will be built here if backers can get the liquor question on the March ballot, and if Dresden voters break tradition and approve it. The inn would be financed largely by Edward Kottsieper of Dresden and would be built on his property just north of his home near the Upper Eastern River Bridge. The site is high, with a broad view of the area. The liquor question will only appear on the March ballot by special act of the legislature, since this is not an election year."

I would break in on that. Apparently, from all the news media we have, this is an election year, and I think we are all very much aware of that. If we do not pass this measure this morning, the people in Dresden will have the opportunity to vote on this issue on a 15 per cent petition next November.

The article goes on: "Kottsieper says if the project does not start this spring his financial supporters will lose interest, and the longer he waits the higher building costs will be. A town selectman commented that the new inn would bring in tax revenue."

I was present at the hearing two weeks ago and the selectmen were represented, the man who sponsored the bill, and that was all regarding the town of Dresden. The people of Dresden were not there demanding that they have the right to vote on this issue in the March election.

A very amusing incident occurred yesterday in the parking lot near the Augusta House. I went down to start my car, and then as it sputtered some, I decided to take it out on a little run to warm it up because I was going to use it in an hour or so. I drove out of my parking space and when I returned about three or four minutes later I started to back into it, and a lady jumped out of the adjoining car and started waving her hands at me furiously, and she

said "You can't park here; I am saving this spot for someone else." I told her I had just driven out of it but that didn't prevail upon her at all, and as I started to pull out she said, "You know, if you legislators weren't here we would have plenty of places to park." Without a word I pulled into another parking space, parked my car and started to walk up past her, and she said "Thank you. I want to remind you that if it weren't for us voters you wouldn't be here anyway." That reminded me of the fact that if it wasn't for the voters of Maine we wouldn't be here anyway today. They sent us here because they respect our judgment and they respect our integrity, and I think our integrity comes to that point this morning when we vote on this issue. Are we going to vote for one man's wishes or for the good of the laws that we have made in the State of Maine?

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr. President, I just wanted to reassure the Senator from York, Senator Hichens, that there are other out-of-town visitors in Augusta these days besides legislators, and assure him that this woman was not one of my constituents. We appreciate the value of the legislature in Augusta.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Shute.

Mr. SHUTE of Franklin: Mr. President and Members of the Senate: I hope you have listened well to the eloquent words of the Senator from Knox, my good friend, Senator Hoffses, and I know you have listened carefully to the Senator from York, Senator Hichens. I am quite convinced this morning that Senator Hoffses wasn't completely sold on everything he said, and I know that you know that Senator Hichens was sold on everything he said because he had to say it, but when Denny Shute speaks, you know that I speak from the heart.

This morning I would like to tell you a story about our executive session which was held

immediately after the hearing on this bill. We had the large sum of two bills committed to the Liquor Control Committee, and I know that Harvey Johnson and the people on the Appropriations Committee are envious of this responsibility. But the first bill we heard this particular day was on the Town of Dresden and, as a former deputy secretary of state, I have had an opportunity to see many appeals for special licenses for towns all over the state, so I know how this business works. But in the first instance I looked at this bill and said "How come it ever appears before the special session of the 105th Legislature as an emergency? Is it so important that the Town of Dresden have booze in a restaurant and that tax base he speaks of a few months earlier, and disturb a law that has been working well?" This is the way I looked at it, and I predicted that there would be other communities that would seek to have the same privilege afforded them before this bill got very far. Sure enough, Mr. Rollins of Dixfield got up and very sanctimoniously proclaimed that the Town of Hartford would like to have this same opportunity to build a hotel and restaurant. How many of you have ever been in the Town of Hartford? See, Well, Dresden is in about the same situation. Hartford, I don't believe you could find it unless you got lost over in Oxford County somewhere. The same is true with Dresden. I have been to Dresden twice and both of those occasions have been on ice-fishing expeditions. I don't know as I could have found my way out of town unless I had had help.

But later on in this hearing another gentleman got up, Raymond Faucher, a member of our committee, and he proposed that the Town of Cornville would like to have this opportunity. I suggest that, if this goes back to the other body, perhaps other communities will be involved. So, what we are doing is establishing a precedent if we adopt this bill. This is the way I look at it. I don't think it is an emergency situation. All these people have to

do is to make application prior to July 1st of this year, with 10 per cent of the voters who voted in the last gubernatorial election, on a petition and submit it to the Secretary of State and they will be on the ballot. In both instances Questions 2 and 4 were turned down in 1968. Give them an opportunity to vote, yes, but give it to them in the November election. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I was quite interested by some of the remarks the distinguished gentleman from Franklin made relative to my sincerity on this particular matter. I can assure you that my sincerity was just as deep as the good Senator's sincerity on some of the measures which he introduced before my Fisheries and Wildlife Committee.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Schulten.

Mr. SCHULTEN of Sagadahoc: Mr. President and Members of the Senate: This body this morning seems to reek with eloquence, occasionally straying from eloquence to facts that might not quite be represented as they should be.

The good Senator from Franklin County, when he gave us the illustration of two towns in the state that perhaps weren't too important when we came to consider them or to finding them, one of them, I couldn't even understand the good Senator — he must have gotten snowballs in his mouth on the way down this morning, so it was garbled. However, the other town that he did mention was Dresden, and I would like to point out just for the record that Dresden is a very important crossroads leading to Augusta, and without this very important strategically located town many of the more important people who attend the sessions in the legislature in Augusta would never be able to get here, and certainly I feel that any derogatory criticism or remarks about the Town of

Dresden were not meant as criticisms, but to keep the record straight I thought perhaps I better bring this out. Thank you, Mr. President.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I think I have established a record. I have sat in my seat while three other people have talked without getting up. I had hoped for some guidance from my good friend from Sagadahoc, Senator Schulten, but I didn't get it. One of the most important people he is talking about, of course, who couldn't get to the legislature without going through Dresden is the good Senator from Sagadahoc, Senator Schulten. He goes through it every day coming up. And if the good Senator from Franklin, Senator Shute, hasn't been in Dresden and doesn't know where it is, he must be driving with his eyes closed when he goes to some of our more notable shore spots such as Boothbay Harbor, Wiscasset, and all the places along the coast, because Dresden carries several very important routes that go from Augusta in that direction.

I would be interested and I know you would like to have me give you a very brief history of the Town of Dresden. In spite of the jocularity of our remarks today, it is one of the most historical towns in the State of Maine. Some of the families that live and own land there today came over from Germany during the War of the Juggernauts, and they have owned their land continuously since that time. It is a remarkable community.

If you were to drive from Augusta to Boothbay, there is a great big blank space on the road as far as facilities for eating go. As the originator of the idea, and a proponent of the law that several of the speakers have alluded to, I feel that it is not incumbent upon me to stay seated. This law five years ago, thank goodness they didn't have Rule 17-A then or it might not have even come out, but we didn't have it and it did come

out Ought to Pass, and it did pass. And I think the removal of these laws from the ballot every two years is one of the best things we have done. Would to the good Lord that other ballot simplifications could be passed through so easily too.

I think that the Town of Dresden has had two times to vote on this law, and the fact that they are now saying they have people who are interested in spending some money in the Town of Dresden, and there is an excellent possibility that if they can't have the vote these people will lose interest a year from now, I almost feel this is the prevailing factor, frankly. I think all these other arguments are not germane. We are not making an exception. We are saying here is a particular instance where we have got a chance for a restaurant which, with or without liquor, I think is desirable in the area, and without liquor I question that it would be built. So I would really feel that the nub of the issue is: Can the Town of Dresden, if it wants to, yes or no, vote on the matter of these liquor licenses, with the thought that there is a situation here which will not be in existence a year from now after the next time they have it. And I, from only this standpoint, would hope that we can support Senator Hoffses on this.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Shute.

Mr. SHUTE of Franklin: Mr. President and Members of the Senate: It was not my intention to impugn the good name of Dresden. I was referring to the Town of Hartford primarily and the Town of Cornville, both of which have been added as amendments to this bill, and I cite this as an example of what will happen to future legislatures if this bill is passed.

I agree with the Majority Leader that adding a restaurant in the Town of Dresden is highly desirable. It will make a fine addition. All I am asking this legislature to do is consider the fact that they have the ordinary process of law to accomplish this,

with only a delay of a few months. Then you won't be establishing a precedent. If you want to establish a precedent in your liquor laws, go ahead and vote against my motion today, but if you want to maintain an orderly pace in the liquor control laws of our State of Maine, then you will vote with me on the Ought Not to Pass. Thank you.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS of York: Mr. President and Members of the Senate: I rise in full agreement, or 98 per cent in agreement, with the good Senator from Franklin, Senator Shute, but those words that he used in intimating that Senator Hoffses and myself were speaking on — well, I don't know just what he said about Senator Hoffses, but he said I spoke because I had to, and he was speaking from the heart. Well, I think that is why I had to say those things, because I am speaking from the heart, and I am disturbed.

I was also disturbed by the words of the Senator from Cumberland, Senator Berry, when he said "they", referring to the people of Dresden. In my talk I said that there weren't any people from Dresden, except one of the selectmen and the man who wanted to build this restaurant. I think if these people in Dresden had been so hepped up about this thing they would have crowded that room that day. The ones who spoke in favor of the bill were people representing the liquor industry. It is a selfish gain that they are after. The opponents were those of the "dry" forces, ministers and so forth, and they too were speaking from the heart because they felt they had to.

I think that is what we have to consider this morning. We are breaking precedent, we are doing it for one interest in the state, and that interest alone.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Franklin, Senator Shute, that the Senate accept the Minority Ought

Not to Pass Report of the Committee on Bill, "An Act Authorizing Town of Dresden to Vote on Certain Liquor Local Option Questions."

As many Senators as are in favor of accepting the Minority Ought Not to Pass Report of the Committee will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

A division was had. Fourteen Senators having voted in the affirmative, and sixteen Senators having voted in the negative, the motion to Accept the Minority Ought Not to Pass Report of the Committee did not prevail.

Thereupon, the Majority Ought to Pass as Amended Report of the Committee was Accepted in concurrence and the Bill Read Once.

House Amendment "A" was Read and Adopted in concurrence. House Amendments "B" and "C" were Read and, on motion by Mr. Hoffses of Knox, Indefinitely Postponed in non-concurrence, and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Senate

The following Ought Not to Pass report shall be placed in the legislative files without further action pursuant to Rule 17-A of the Joint Rules:

Bill, "An Act to Provide Staff Assistance for Presiding Officers of the Legislature." (S. P. 687) (L. D. 1868)

Sent to the House.

Ought to Pass

Mr. Dunn for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Providing Funds for Maine Historical Society." (S. P. 710) (L. D. 1984)

Reported that the same Ought to Pass.

Which report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

Mr. Clifford for the Committee on State Government on, Resolution, Proposing an Amend-

ment to the Constitution Pledging Credit of the State for Guaranteed Loans to Resident Maine Veterans of the Armed Forces of the United States of America. (S. P. 717) (L. D. 1990)

Reported that the same Ought to Pass in New Draft Under New Title: "Resolution, Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans to Resident Maine Veterans of the Armed Forces of the United States of America or the Peace Corps." (S. P. 755) (L. D. 2027)

Which report was Read and Accepted and the Resolution, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Resolve, in Favor of Robert D. Lust for Automobile Damage. (H. P. 1492) (L. D. 1935)

Bill, "An Act Providing Funds for County Access Road to Katahdin Iron Works." (H. P. 1514) (L. D. 1956)

Bill, "An Act to Clarify Party Enrollment Requirements for Filing Nomination Petitions Under the Election Laws." (H. P. 1567) (L. D. 2022)

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

Bill, "An Act to Clarify Party Enrollment Requirements for Filing Nomination Petitions Under the Election Laws." (H. P. 1567) (L. D. 2022)

Which was Read a Second Time.

Mr. Shute of Franklin then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-337, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. SHUTE of Franklin: Mr. President and Members of the Senate: The members may wish to know the reason for this amendment. I can explain simply by saying that as an aftermath of the regular session it was determined

that in multi-member districts a candidate, under an interpretation by the Attorney General's Office, could spend his legislative salary times the number of candidates running for that office in that district, which meant that in Portland, for example, one might use the figure of \$2500 base salary for legislative enumeration, and multiply it by a number of candidates for that office, or twenty-two, or in the case of a third party as we had the last time around, around twenty-five times \$2500, which would have been unreasonable in any event and this amendment is designed to close that loop hole.

The PRESIDENT: Is it now the pleasure of the Senate to adopt Senate Amendment "A"?

Thereupon, Senate Amendment "A" was Adopted, and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Providing for a Change in Standard Deductions in Income Tax Law." (H. P. 1547) (L. D. 2003)

Which was Read a Second Time and Passed to be Engrossed, in non-concurrence.

Sent down for concurrence.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

Bill, "An Act Relating to Housing and Food Supplies Furnished by State Department." (H. P. 1504) (L. D. 1946)

Tabled — February 7, 1972 by Senator Katz of Kennebec.

Pending — Passage to be Engrossed.

On motion by Mr. Katz of Kennebec, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

The President laid before the Senate the second tabled and specially assigned matter:

Joint Order — Relative to Department of Audit make Investigation of Activities and Funds expended for Hospital Improvement Program at Pineland Hospital. (S. P. 750)

Tabled — February 8, 1972 by Senator Violette of Aroostook.

Pending — Passage.

On motion by Mr. Hichens of York, the Joint Order was Indefinitely Postponed.

Order

Out of order and Under Suspension of the rules, on motion by Mr. Hichens of York:

WHEREAS, there are questions regarding the federally funded Hospital Improvement Program at Pineland Hospital and Training Center; and

WHEREAS, it is necessary for the effective operation of the State that federal funds be efficiently and effectively utilized; and

WHEREAS, there may be some confusion as to the authority and responsibility related to the grant for the Hospital Improvement Program; and

WHEREAS, the federally funded Hospital Improvement Program and normalization concept involve important rights, privileges and discipline of Pineland residents; now, therefore, be it

ORDERED, the House concurring, that the State Department of Audit be authorized and directed to make a thorough investigation of the funds expended for Hospital Improvement Program at Pineland Hospital and Training Center; and be it further

ORDERED, that said Department of Audit is directed to report its findings and recommendations based on said investigation to the next regular session of the Legislature.

(S. P. 756)

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette.

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: My original purpose in tabling the previous order upon reading it was that I thought the order instructed the State Auditor to do certain things that were far too wide and getting into an area in which the State Auditor actually had no responsibility and no functions. I discussed the matter with Senator Hichens and I discussed the matter with the State Auditor,

and also with the Department of Mental Health and Corrections, and everyone agreed that the order was far too board to accomplish the purpose that was originally proposed. I think this order here, as I see it, it seems to me to meet the approval of all the parties who are concerned. So, I will have no opposition to its passage.

The PRESIDENT: Is it now the pleasure of the Senate that this order receive Passage?

Thereupon, the Order received Passage.

Sent down for concurrence.

The President laid before the Senate the third tabled and specially assigned matter:

Bill, "An Act to Create a Crime Laboratory." (S. P. 688) (L. D. 1869)

Tabled — February 8, 1972 by Senator Tanous of Penobscot.

Pending — Passage to be Engrossed.

Mr. Berry of Cumberland then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-336, was Read and Adopted, and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

Mr. Katz of Kennebec was granted unanimous consent to address the Senate:

Mr. KATZ: Mr. President and Members of the Senate: On the front page of the Kennebec Journal and the Portland Press Herald this morning there are two separate stories about an altercation between Maine teachers and the University of Maine. I find it a very, very interesting confrontation. Without in any respect taking the side of teachers or approving of their actions, I must say that the University has not been responsive in the field of graduate education to the needs of the coordination the people expect and want of the university system.

It has been several years now since the unification of the university took place, and sometimes I feel that the graduate program in Gorham is run by Red China and the graduate program at Orono is run by Soviet Russia and they just

don't talk to one another. It is a fact that it is unnecessarily difficult for Maine people, especially teachers, because of their numbers, to pursue orderly courses of graduate education. Where there is a vacuum, people will move in, and in this particular case it appears that the Maine Teachers Association has moved in. Again, I do not in any respect support

their specifics, but I will point out to the Senate that there is a need for prompt revamping of the universities attitude to giving service to Maine people in the graduate programs in the state.

On motion by Mr. Hoffses of Knox,

Adjourned until 10 o'clock tomorrow morning.